

EDNY/CNY
08-CV-4557
SpH, J.
wall, J.

**UNITED STATES COURT OF APPEALS
FOR THE SECOND CIRCUIT**

FILED
IN CLERK'S OFFICE
U.S. DISTRICT COURT E.D.N.Y.

SEP 11 2009

LONG ISLAND OFFICE

Docket No.
09-1297-cv

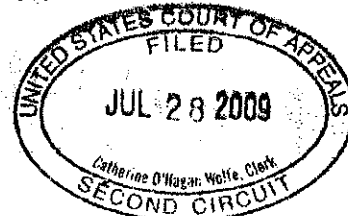
**LAW PRACTICE MANAGEMENT CONSULTANTS, LLC., WKNB
PRODUCTIONS, LLC., DANIEL P. BUTTAUFUOCO and ASSOCIATES,
PLLC, DANIEL P. BUTTAUFUOCO, LLC and DANIEL P. BUTTAUFUOCO,**

Plaintiffs-Appellants,

-against-

**M&A COUNSELORS & FIDUCIARIES LLC and C. WILLIAM
HOILMAN,**

Defendants-Appellees,



**STIPULATION WITHDRAWING APPEAL FROM ACTIVE CONSIDERATION
WITHOUT PREJUDICE WITH LEAVE TO REACTIVATE**

The undersigned counsel for the parties hereby stipulate that the above-captioned appeal is hereby withdrawn without costs and without attorneys' fees and without prejudice, subject to reactivation of the appeal by appellant's counsel by written notice to the Clerk of the this Court by August 20, 2009.

If not thus timely reactivated, the appeal shall be subject to dismissal.

Withdrawal of the appeal from active consideration shall not operate as a dismissal of the appeal under F.R.A.P. 42(b).

The undersigned further stipulate that a signature on this document by facsimile shall be sufficient as an original.

DATED: WOODBURY, NEW YORK

July 13, 2009

BUTTAUFUOCO & ASSOC.

BY: ELLEN BUCHHOLZ, ESQ.

Attorneys for Plaintiffs-appellants
144 Woodbury Road, Woodbury, New York
(516) 746-8100

[Signature]
**WILSON, ELSER, MOSKOWITZ
EDELMAN & DICKER, LLP**
By: A. Ernest Tenorezco, Esq.
Attorneys for Defendants-Appellees
150 East 42nd St., New York, N.Y.
(212) 490-3000

So ordered:

FOR THE COURT
Catherine O'Hagan Wolfe, Clerk of Court
By *[Signature]*
Vidya Kurella, Staff Counsel

A TRUE COPY
Catherine O'Hagan Wolfe, Clerk
by *[Signature]*
DEPUTY CLERK

CERTIFIED:

SEP - 4 2009

Dennis J. Jacobs
CHIEF JUDGECatherine O'Hagan Wolfe
CLERK OF COURT

Date: 9/4/09 DC Docket Number: 08-cv-4557
Docket Number: 09-1297-cv DC: EDNY (CENTRAL ISLIP)
Short Title: Law Practice Management Consultants, LLC v. M&A Counselors & Fiduciaries, LLC DC Judge: Honorable Arthur Spatt

ACKNOWLEDGMENT RECEIPT

To: Appeals Clerk

Kindly endorse the acknowledgment receipt in the line below and return to the Court of Appeals for the Second Circuit.

MANDATE ACKNOWLEDGMENT = Transfer of Jurisdiction

The mandate consists of the items indicated below:

- ☐ Clerk Order dated <mm/dd/yy>
- ☐ Court Order dated <mm/dd/yy>
- ☐ Default Order <mm/dd/yy>
- ☒ So-Ordered Stipulation 7/28/2009
- ☐ Summary Order dated <mm/dd/yy>
- ☐ Opinion and Judgment dated <mm/dd/yy>
- ☐ Statement of Costs dated <mm/dd/yy>

CERTIFIED ACKNOWLEDGMENT = For Informational Purposes

- ☐ Clerk Order dated <mm/dd/yy>
- ☐ Court Order dated <mm/dd/yy>
- ☐ So-Ordered Stipulation <mm/dd/yy>

Received by: _____
(Origination Court or Agency)

Date: _____